SINGLE BENCH

C.G.H.C.

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IN THE HIGH COURT OF JUDICATURE AT BILASPUR, C.G.

WRIT PETITION NO. 4599 /2005

(Petition under Article 226/227 of the Constitution of India)

PETITIONER : Chandra Kumar Kodpe, S/o Shri Tulsi Ram Kodpe, aged about 42 years, at present working as a Asstt. Teacher, Primary School Kanai Farasgaon, Bastar, C.G.

P.R. No. 4699 Vishnu Kosre
Presented on 8/9/05
dated

VERSUS

RESPONDENTS : 1) State of Chhattisgarh, through the Secretary, Department of tribal Welfare, D.K.S. Bhawan, Raipur (C.G.)

RECEIVED-COPY 8/9/05 CLE for A. G. BILASPUR

2) Director, tribal Welfare Department, Raipur, C.G.

3) Asstt. Commissioner tribal Welfare Department, Jagdalpur, Distt. Bastar, C.G.

4) District Education Officer, Jagadalpur, Distt. Bastar, C.G.

5) Block Education Officer, Narharpur, Distt. Kanker, C.G.

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRIT OF MANDAMUS/ CERTIORARI, ORDER/ORDERS, DIRECTION/DIRECTIONS ETC.

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 4599/05 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	17/10/2005 Shri Vishnu Koshta, learned counsel for the petitioner. Shri Arun Sao, Dy. Govt. Advocate who appears on behalf of respondents on advance copy. Heard finally with the consent of both the parties. Learned counsel for the petitioner submits that the petitioner, who is working as Assistant Teacher in Primary School, Kanai Farasgaon District Bastar (C.G) has been transferred from that place to Primary School, Choria, Block Narharpur District Kanker (C.G.) on his own request vide order dated 30/06/2003 (Annexure P-1). Learned counsel further submits that even after passing of the transfer order in the month of June 2003, the petitioner has not been relieved from Primary School, Kanai Farasgaon, District Bastar, for joining to his transferred place. Learned counsel for the petitioner also submits that the aforesaid order of transfer dated 30/06/2003 has not been cancelled or varied and the same is still in existence. He prays that directions may be given to the concerned authority to relieve the petitioner immediately so that he may join at his transferred place at an early date. On the other hand learned counsel for the State submits that he is not in a position to say as to whether the aforesaid order is in existence or not as the order was passed as back as on 30/06/2003.	

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... WP 4599/05 ..... **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

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	Having heard the learned counsel for the parties and considering the facts and circumstances of this case, this petition is finally disposed of by a conditional order. It is hereby directed that if the transfer of the petitioner has not been varied or cancelled and he has not been relieved so far, then he shall be relieved within a period of 15 days from date of production of certified copy of this order before the concerned authority of the respondents, in pursuance of his transfer order dated 30/06/2003. It is made clear that if the order of transfer of the petitioner has been varied or cancelled, this order passed by this Court shall have no force. With the aforesaid directions and observations, the petition stands finally allowed. **Sd/-** **Sunil Kumar Sinha** **Judge**	